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11 Attorneys for Debtors

12 UNITED STATES BANKRUPTCY COURT

13 DISTRICT OF OREGON

14 In re

Case No. 19-32599-dwh11

15 Wall to Wall Tile & Stone-Oregon LLC, an  
16 Oregon limited liability company,

17 Debtor.

18 In re

Case No. 19-32600-dwh11

19 Wall to Wall Tile & Stone, LLC, a  
20 Washington limited liability company,

21 Debtor.

22 In re

Case No. 19-32603-dwh11

23 Wall to Wall Tile & Stone-Idaho LLC, an  
Idaho limited liability company,

24 Debtor.

**DEBTORS' MOTION FOR ORDER  
DIRECTING JOINT  
ADMINISTRATION PURSUANT TO  
FRBP 1015(b)**

*EXPEDITED HEARING REQUESTED*

1 Debtors and Debtors-in-Possession Wall to Wall Tile & Stone, LLC, a  
2 Washington limited liability company ("Wall to Wall Washington"), Wall to Wall Tile & Stone-  
3 Oregon LLC, an Oregon limited liability company ("Wall to Wall Oregon"), and Wall to Wall  
4 Tile & Stone-Idaho LLC, an Idaho limited liability company ("Wall to Wall Idaho") (together,  
5 "Wall to Wall" or "Debtors"), by and through their undersigned counsel, hereby submit this  
6 motion pursuant to Rule 1015 of the Federal Rules of Bankruptcy Procedure for entry of an order  
7 directing joint administration and procedural consolidation of the above Chapter 11 Cases. In  
8 support of the Motion, Debtors incorporate the statements contained in the Declaration of James  
9 Keller in Support of First Day Pleadings filed contemporaneously herewith, and further state as  
10 follows:

### 11 JURISDICTION AND VENUE

12 1. This Court has jurisdiction over the matter pursuant to 28 U.S.C. §§ 157  
13 and 1334. This matter is a core proceedings pursuant to 28 U.S.C. § 157(b)(2)(A). Venue of this  
14 case in this matter is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. The  
15 statutory predicate for the relief requested herein is Rule 1015 of the Federal Rules of  
16 Bankruptcy Procedure (the "Bankruptcy Rules").

### 17 BACKGROUND

18 2. On July 16, 2019, Debtors commenced voluntary petitions for relief under  
19 Chapter 11 of the Bankruptcy Code.

20 3. Wall to Wall Oregon is an Oregon limited liability company whose  
21 principal assets consist of granite and quartz inventory located at a private showroom and  
22 warehouse located in Bend, Oregon. Wall to Wall Oregon operates an installation business.

23 4. Wall to Wall Washington is a Washington limited liability company  
24 whose principal assets consist of granite and quartz tabletop inventory located at a showroom  
25 and warehouse in Vancouver and Kent, Washington, as well as a corporate office located in  
26 Vancouver, Washington. Wall to Wall Washington operates a supply and installation business.

1           5.       Wall to Wall Idaho is an Idaho limited liability company whose principal  
2 assets consist of granite and quartz inventory located at a showroom and warehouse in a suburb  
3 of Boise, Idaho. Wall to Wall Idaho operates a supply and installation business.

4           6.       Wall to Wall was founded in 2008 in Vancouver, Washington by Tyler  
5 Kruckenberg with four employees. Mr. Kruckenberg had 20 years of experience in the stone  
6 countertop supply and fabrication industry. He envisioned a large scale advanced manufacturer  
7 that could deliver fully integrated solutions offering better selection, price, and service to the  
8 market.

9           7.       Wall to Wall has grown to approximately 250 employees and annual sales  
10 exceeding \$30 million. Wall to Wall's sales are concentrated in granite and quartz countertops.  
11 Marble and exotic stones, including soapstone, slate, and limestone are also offered, as are  
12 custom stone vanity tops, backsplashes, floor tiles, and other interior surfaces. To complement  
13 its array of stone countertop products, Wall to Wall offers several value-added services,  
14 including design, project layout, home visitation for digital measurement, customized cutting,  
15 and hand finished home installation.

16           8.       As referenced above, the companies operate out of five locations. In  
17 Vancouver, Washington, there are two locations: a 44,000 square foot facility that houses  
18 distribution, design, engineering, manufacturing, and warehousing and a separate 5,664 square  
19 foot corporate office and public showroom. In Boise, Idaho, there is a 37,000 square foot facility  
20 that houses manufacturing, distribution, and a public showroom. A public showroom is also  
21 located in Kent, Washington and a private showroom for contractors is located in Bend, Oregon.

22                   **RELIEF REQUESTED AND BASIS THEREFOR**

23           9.       By this application, Debtors seek entry of an order directing joint  
24 administration and procedural consolidation pursuant to Rule 1015(b) of the Bankruptcy Rules,  
25 of the above-captioned Chapter 11 cases. Rule 1015(b) provides, in relevant part:

26       \* \* \*

1 "If \* \* \* two or more petitions are pending in the same court by  
2 \* \* \* a debtor or an affiliate, the court may order a joint  
administration of the estates."

3 10. Debtors believe that joint administration of these Chapter 11 cases is  
4 warranted because:

5 (a) The financial affairs and businesses of Debtors are closely related;  
6 (b) Administrative and operational services are shared by and among  
7 the Debtors;  
8 (c) Debtors share common management;  
9 (d) Debtors intend to file a joint plan of reorganization; and  
10 (e) Entry of an order directing joint administration of these cases will  
11 obviate the need for duplicative notices, applications and orders, and will thereby save  
12 considerable time and expenses for Debtors and result in substantial savings to the respective  
13 estates.

14 11. Joint administration will also permit the clerk to use a single general  
15 docket for all Debtors' cases and to combine notices to creditors and other parties-in-interest  
16 herein. Joint administration will ensure, in each of Debtors' respective Chapter 11 cases, that  
17 each party in interest will be apprised of any matter before the Court in each Chapter 11 case.

18 12. By reason of the foregoing, Debtors submit that the interests of its  
19 creditors, their estates and other parties-in-interest will be best served by joint administration of  
20 these cases. Accordingly, Debtors request that the Chapter 11 Cases be administered under a  
21 consolidated caption, as follows:

22 \* \* \*

23 \* \* \*

24 \* \* \*

25 \* \* \*

26 \* \* \*

1 UNITED STATES BANKRUPTCY COURT  
2 DISTRICT OF OREGON

3 In re 4 Wall to Wall Tile & Stone, LLC, 5 Wall to Wall Tile & Stone-Oregon LLC, and 6 Wall to Wall Tile & Stone-Idaho LLC, 7 Debtors.	Case No. 19-32600-dwh11 <b>LEAD CASE</b>  (Jointly Administered with Case Nos. 19-32599-dwh11 and 19-32603-dwh11)
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8 Debtors submit that use of this caption will eliminate cumbersome and confusing  
9 procedures and ensure a uniformity of identification.

10 1. Furthermore, the rights of each Debtor's respective creditors will not be  
11 adversely affected by joint administration of these cases because the relief sought herein is  
12 purely procedural at this time, and is not intended to affect substantive rights. The rights of all  
13 creditors will be enhanced by reduction in costs resulting from joint administration. This Court  
14 will also be relieved of the burden of entering duplicative orders and maintaining duplicative  
15 files. Supervision of the administrative aspects of these Chapter 11 cases by the United States  
16 Trustee will also be simplified.

17 2. Debtors also request that an entry be made on the docket of the Wall to  
18 Wall Oregon and Wall to Wall Idaho Chapter 11 Cases that is substantially similar to the  
19 following:

20 An order has been entered in accordance with Rule 1015(b) of the  
21 Federal Rules of Bankruptcy Procedure directing joint  
22 administration and procedural consolidation of the Chapter 11  
23 cases of Wall to Wall Tile & Stone, LLC, a Washington limited  
24 liability company, Wall to Wall Tile & Stone-Oregon LLC, an  
25 Oregon limited liability company, and Wall to Wall Tile & Stone-  
26 Idaho LLC, an Idaho limited liability company [ECF No. \_\_\_\_].  
All further pleadings and other papers shall be filed in, and all  
further docket entries shall be made in, Wall to Wall Tile & Stone  
LLC, Case No. 19-32600-dwh11.

1                   3.       In summary, Debtors request that their Chapter 11 cases be jointly  
2 administered for procedural purposes to the extent of the following:

3                   (a)       One docket shall be maintained for Debtors' cases, under the case number  
4 assigned to Wall to Wall Washington. All pleadings, orders, and other papers filed shall be  
5 captioned with the style reflected above, and shall reflect that the cases are being jointly  
6 administered under the case number assigned to Wall to Wall Washington.

7                   (b)       The United States Trustee shall conduct joint informal meetings with  
8 Debtors, if required, and a joint first meeting of creditors;

9                   (c)       Counsel for Debtors shall prepare and maintain one "Consolidated Short  
10 Service List" which reflects all parties-in-interest of all Debtors, and shall prepare and maintain a  
11 separate "Master Service List" for each Debtor that further meets the requirements of any order  
12 the Court may enter in these cases regarding limitation of notice (the "Master Service List" is  
13 also known as the "Creditor Mailing List" or "Matrix" which is of record for each of Debtors'  
14 cases individually);

15                   (d)       Each Debtor shall file separate Schedules of Assets and Liabilities,  
16 Statements of Financial Affairs, and Lists of Equity Security Holders;

17                   (e)       Debtors will file separate Monthly Operating Reports pursuant to  
18 Rule 2015 in the form(s) requested by the United States Trustee; and

19                   (f)       Proofs of claims or interests filed by creditors of any Debtor shall reflect  
20 the style and case number of the Debtor to which the claim or interest relates and shall be filed in  
21 the case to which such claim or interest relates. Separate claims registers shall be maintained for  
22 each Debtor.

23                   4.       A copy of the proposed Order Directing Joint Administration Pursuant to  
24 FRBP 1015(b) is attached hereto as **Exhibit 1**.

25                   WHEREFORE, Wall to Wall Washington, Wall to Wall Oregon, and Wall to  
26 Wall Idaho respectfully request that this Court enter an order, substantially in the form attached

1 hereto as **Exhibit 1**, authorizing the joint administration and directing procedural consolidation  
2 of the above-captioned Chapter 11 cases substantially in the form proposed, and granting such  
3 other and further relief as may be just and proper.

4 DATED this 16th day of July, 2019.

5 TONKON TORP LLP  
6

7 By /s/ Ava L. Schoen

8 Albert N. Kennedy, OSB NO. 821429

9 Timothy J. Conway, OSB No. 851752

10 Michael W. Fletcher, OSB No. 010448

11 Ava L. Schoen, OSB No. 044072

12 Attorneys for Debtors  
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# **EXHIBIT 1**

## **PROPOSED FORM OF ORDER**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re  Wall to Wall Tile & Stone-Oregon LLC, an Oregon limited liability company,  Debtor.	Case No. 19-32599-dwh11
In re  Wall to Wall Tile & Stone, LLC, a Washington limited liability company,  Debtor.	Case No. 19-32600-dwh11
In re  Wall to Wall Tile & Stone-Idaho LLC, an Idaho limited liability company,  Debtor.	Case No. 19-32603-dwh11  <b>ORDER DIRECTING JOINT ADMINISTRATION PURSUANT TO FRBP 1015(b)</b>

THIS MATTER having come before the Court upon Debtors' Motion for Order  
Directing Joint Administration Pursuant to FRBP 1015(b) (the "Motion") [ECF No. \_\_\_\_], a

hearing having been held before the Court, and the Court being duly advised in the premises and finding good cause; now, therefore;

IT IS HEREBY ORDERED that:

13. The Motion is GRANTED.

14. The Chapter 11 cases of Wall to Wall Tile & Stone, LLC, Wall to Wall Tile & Stone-Oregon LLC, and Wall to Wall Tile & Stone-Idaho LLC be and hereby are procedurally consolidated and shall be jointly administered by the Court:

15. All pleadings, orders, and other papers shall be captioned with the following style and shall reflect that the cases are jointly administered:

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re  Wall to Wall Tile & Stone, LLC, Wall to Wall Tile & Stone-Oregon LLC, and Wall to Wall Tile & Stone-Idaho LLC,  Debtors.	Case No. 19-19-32600-dwh11 <b>LEAD CASE</b>  (Jointly Administered with Case Nos. 19-32599-dwh11 and 19-19-32603-dwh11)
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16. A docket entry shall be made in each of the above-captioned cases substantially as follows:

An order has been entered in accordance with Rule 1015(b) of the Federal Rules of Bankruptcy Procedure directing joint administration and procedural consolidation of the Chapter 11 cases of Wall to Wall Tile & Stone, LLC, a Washington limited liability company, Wall to Wall Tile & Stone-Oregon LLC, an Oregon limited liability company, and Wall to Wall Tile & Stone-Idaho LLC, an Idaho limited liability company [ECF No. \_\_\_\_]. All further pleadings and other papers shall be filed in, and all further docket entries shall be made in, Wall to Wall Tile & Stone LLC, Case No. 19-32600-dwh11.

17. One docket shall be maintained for Debtors' cases, under the case number assigned to Wall to Wall Tile & Stone LLC. All pleadings, orders, and other papers filed shall

be captioned with the style reflected above, and shall reflect that the cases are being jointly administered under the case number assigned to Wall to Wall Tile & Stone LLC.

18. The United States Trustee shall conduct joint informal meetings with Debtors, if required, and a joint first meeting of creditors;

19. Counsel for Debtors shall prepare and maintain one "Consolidated Short Service List" which reflects all parties-in-interest of all Debtors, and shall prepare and maintain a separate "Master Service List" for each Debtor that further meets the requirements of any order the Court may enter in these cases regarding limitation of notice (the "Master Service List" is also known as the "Creditor Mailing List" or "Matrix" which is of record for each of the Debtors' cases individually);

20. Each Debtor shall file separate Schedules of Assets and Liabilities, Statements of Financial Affairs, and Lists of Equity Security Holders;

21. Each Debtor shall file separate Monthly Operating Reports pursuant to Rule 2015 in the form(s) requested by the United States Trustee; and

22. Proofs of claims or interests filed by creditors of any Debtor shall reflect the style and case number of the Debtor to which the claim or interest relates and shall be filed in the case to which such claim or interest relates. Separate claims registers shall be maintained for each Debtor.

23. Nothing in this Order shall be deemed or construed as directing or otherwise affecting the substantive consolidation of any of the above-captioned cases.

# # #

I certify that I have complied with the requirements of LBR 9021-1(a).

Presented by:

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cc: List of Interested Parties